

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MAURICE PULLUM,

Plaintiff,

v.

ORDER
07-CV-397A

MICHAEL ASTRUE, Commissioner of
Social Security Administration,

Defendants.

The above-referenced case was referred to Magistrate Judge Leslie G. Foschio, pursuant to 28 U.S.C. § 636(b)(1)(B). On November 4, 2009, Magistrate Judge Foschio filed a Report and Recommendation, recommending that defendant's motion for judgment on the pleadings be denied and the matter be remanded for further proceedings.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Foschio's Report and Recommendation, defendant's motion for judgment on the pleadings is denied and the matter is remanded for further proceedings.

The Clerk of Court shall take all steps necessary to close the case.

SO ORDERED.

s / Richard J. Arcara

HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

DATED: December 7, 2009